

PSJ3

Exhibit 486



NATIONAL ASSOCIATION OF  
CHAIN DRUG STORES

**DEA Compliance Working Group**  
**January 10, 2013**  
**Meeting Summary**

**Co-Chairs**

Target	Jason Ausili
Walgreen Co.	Rex Swords

**Participants:**

Costco Wholesale	Jon McArthur
CVS Caremark	Tom Davis, Nicole Harrington
H-E-B	Dennis Wiesner
Meijer	Karen Mankowski, John Vandervoot
Rite Aid	Janet Hart
Safeway	Greg Herr, Jewel Hunt
SUPERVALU Inc.	Jim Tsipakis
Target	Eric Lessard
Wal-Mart	Ann-Louise Almeida, Susanne Hiland

Co-Chairs Jason Ausili and Rex Swords started the meeting with a description of the working group's charge from the NACDS Board of Directors. In particular, the work group is tasked with helping to curb prescription drug abuse through the development of an industry-wide code for controlled substance dispensing. The co-chairs emphasized the need to be forward-thinking with the code, and go beyond simply codifying known "red flags" for abuse.

In advance of the meeting, several chains provided detailed policies and procedures for controlled substance dispensing that their companies have adopted or are considering. In addition, NACDS circulated the following documents for consideration: 1) a legal overview of considerations for the development and implementation of a voluntary code; 2) an overview of DEA standards and red flags discussed in recent DEA cases; and 3) a review of relevant medical literature on red flags for prescription drug abuse.

**Breakout Group #1: Define Vision for Potential Code**

Consensus was built around the following vision for the potential code:

**Goal:** Develop a voluntary, industry-wide code on controlled substance dispensing to support legitimate patient care while addressing potential for abuse and diversion.

**Vision Statement:** This code is intended to empower our pharmacists to make clinical judgments around controlled substance dispensing in order to provide patient-centric care and improve outcomes.

### **Guiding Principles:**

- **Voluntary:** Compliance with the code will be voluntary for pharmacies.
- **Adaptable:** The code should provide flexible guidance that can be adapted in a manner that meets diverse business needs and processes.
- **Preserve access to legitimate patient care:** The code should ensure legitimate pain control needs of patients are met.
- **Strengthen Professional Judgment:** The code should be structured to educate and support front-line pharmacists in making professional, objective decisions.
- **Reasonable and Executable:** The code must not be prohibitive to participation by community pharmacy partners.
- **Foster Positive Corporate Culture:** The code should help create an environment of corporate support for pharmacist professional judgment relative to controlled substance dispensing.
- **Best Practices for Common Red Flags:** The code is meant to provide guidance on best practices, and is not intended to address every situation in an evolving healthcare system.

### **Breakout Group #2: Define Key Elements of a Code**

Members engaged in an initial dialogue around key elements of the code. General consensus was built around the following:

- The code should focus on all controlled substances and relevant non-controlled prescriptions.
- Members felt the code should heighten pharmacist awareness of the prescription, patient, and physician factors that may suggest inappropriate use, and assist pharmacists with viewing these factors holistically.
- Key elements to include in the code: ensuring an appropriate prescriber-patient relationship, ensuring physicians have a relevant scope of practice for the prescribed medication, and focus of commonly abused cocktails.
- Members felt that policies that are too prescriptive (e.g., setting a specific day threshold for early refills) should not be included in the code.
- As a parallel work stream, the working group will identify potential legislative or regulatory issues that would assist with controlled substance dispensing. Specific

examples included requiring a separate DEA registration for pain management specialists, standardization of PDMPs, and enhancing electronic prescribing of controls.

### **Next Steps**

The working group aims to provide an update on progress to the NACDS Board of Directors at its April 2013 Board meeting. To that end, the following next steps have been set:

- January 14 – NACDS disseminates working group report.  
**Action: Please review the Working Group survey with your team and provide response by COB January 25, 2013.**
- January 30 – NACDS disseminates aggregated survey comments
- February 1 – Working group conference call  
5:00 – 6:00 p.m. EST  
Dial-in: 1-800-591-2259  
Passcode: 709521#
- February 4 – Update at NACDS Regional Chain
- February 12 – Working group in-person meeting  
1:00 – 5:00 p.m. EST  
NACDS, 1776 Wilson Blvd, Arlington, VA 22209